

# UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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	LING DATE	FIRST NAMED INVENTOR		, AT	TORNEY DOCKET NO.
FRANKLIN D WOLF BANNER AND WITC ELEVENTH FLOOR 1001 G STREET N	<del>718/97 ' KI</del> FFE OFF LTD		7	SMITH MEX	AMINER PAPER NUMBER
WASHINGTON DC 2	10001-4397			DATE MAILED:	5/04/99

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 

## Office Action Summary

Application No. 08/878,199

Applicant(s)

Kenji Yoneda

Examiner

Michael Smith

Group Art Unit 2875



X Responsive to communication(s) filed on Jun 18, 1997	
☐ This action is <b>FINAL</b> .	
☐ Since this application is in condition for allowance except in accordance with the practice under <i>Ex parte Quayle</i> , 19	for formal matters, prosecution as to the merits is closed 335 C.D. 11; 453 O.G. 213.
A shortened statutory period for response to this action is set is longer, from the mailing date of this communication. Failur application to become abandoned. (35 U.S.C. § 133). Exten 37 CFR 1.136(a).	re to respond within the period for response will cause the
Disposition of Claims	
	is/are pending in the application.
	is/are withdrawn from consideration.
Claim(s)	
☑ Claim(s) 1 and 2	
☐ Claim(s)	
☐ Claims	·
	and subject to restriction or election requirement.
Application Papers  X See the attached Notice of Draftsperson's Patent Drawl	ing Povious PTO 949
☐ The drawing(s) filed on is/are objective.	
☐ The proposed drawing correction, filed on	·
★ The specification is objected to by the Examiner.	isapproveddisapproved.
☐ The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119	v under 35 U.S.C. § 119(a)-(d)
⊠ received.	
☐ received in Application No. (Series Code/Serial No.	umber)
$\square$ received in this national stage application from th	
*Certified copies not received:	
☐ Acknowledgement is made of a claim for domestic prior	rity under 35 U.S.C. § 119(e).
attachment(s)	
☑ Notice of References Cited, PTO-892	
☑ Information Disclosure Statement(s), PTO-1449, Paper I	No(s)3
☐ Interview Summary, PTO-413	
Notice of Draftsperson's Patent Drawing Review, PTO-9     Notice of Informal Patent Application, PTO 152     Notice of Informal Patent Application, PTO 152     Notice of Informal Patent Application, PTO 153     Notice of Informal Patent Application PTO 153     Notice of Informal Pto 154     Notice of Information PTO 154     Notice of Info	148
☐ Notice of Informal Patent Application, PTO-152	
SEE OFFICE ACTION ON	THE FOLLOWING PAGES

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#### **DETAILED ACTION**

### **Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### Specification

- 2. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.
- 3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### Claim Rejections - 35 U.S.C. § 112

- 4. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- 5. Claim 1 recites the limitation "the side" in line 11. There is insufficient antecedent basis for this limitation in the claim.

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#### Claim Rejections - 35 U.S.C. § 103

- 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borgert et al (5,519,496) in view of Huang (5,420,773).
- 8. Borgert et al discloses a lighting unit (12) comprising a plurality of printed circuit boards, having a concentric circular hole, wherein a plurality of illuminants are embedded in the board on a concave side, and wherein the illuminants give off a cone of light (see col. 3, line 33 to col. 4, line 15). The lighting unit is made of flexible circuit boards, having surface mounted LEDs, in which the boards may be bent into predetermined shapes, thereby reducing the cost and complexity compared to known lighting systems (see col. 2, lines 25-30).
- 9. Borgert does not expressly disclose that one of the predetermined shapes may be a truncated cone.
- 10. Huang discloses a lamp having a truncated cone structure comprising a method of forming the truncated cone from a flexible material including the steps of:

forming a flexible sheet material having two sides in a planar state, bending the sheet material and joining the two sides, forming a truncated cone. Application Number: 08/878199

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Borgert et al and Huang are analogous art because they are from the same field of

endeavor, the illumination field.

11. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the method of making a truncated cone teaching of Huang in the process of

making the lighting unit of flexible circuit boards of Borgert et al for the purpose of further

reducing cost and complexity by forming the lighting unit with a one piece construction.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Japanese Patent 4-241476 shows a concave circuit board arrangement.

13. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Mike Smith whose telephone number is (703) 305-8528.

M.S.

April 26, 1999

Sandra O'Shea

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Supervisory Patent Examiner

Technology Center 2800